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U.S. DISTRICT COURT

2008 JAN 18 PM 1:28

TEXAS-EASTERN

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

BY _____

JOHN GERARD QUINN

V.

CIVIL NO. 4:06cv120

JOHN ROACH, individually and in his official capacity as Collin County District Attorney, et al.

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On December 21, 2007, the report of the Magistrate Judge was entered containing proposed findings of fact and a recommendation that Plaintiff's Motion to Strike Defendant Houston and Quinn's Pleadings (Dkt. 133) be GRANTED, in part.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court. Therefore, Plaintiff's Motion to Strike Defendant Houston and Quinn's Pleadings (Dkt. 133) is GRANTED, in part, and all portions of pleadings of Laurie Houston and Katie Quinn containing affirmative claims of relief, including their counterclaims against Plaintiff for fraud,

sanctions, and intentional infliction with malice of severe mental anguish, are stricken.

IT IS SO ORDERED.

SIGNED this 17th day of January, 2008.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath the name.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE